IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION No. 19557 of 2004

Between:

Bonakurthi Saibaba, S/o. B. Rajaiah,
Keethavari Gudem, Garredipally Mandal, Nalgonda District.

..... PETITIONER

AND

1 The Superintendent of Police, Nalgonda, Nalgonda District.
2 The Station House Officer, P.S. Garidepally Mandal,
Nalgonda District, rep. by its Sub Inspector of Police.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue writ order or direction more particularly one in the nature of writ of mandamus declaring the willful omission of the respondent No.2 in not registering the crime on the basis of report dated 15.2.2003 (wrongly written as 15.2.2002) filed by father of the petitioner as illegal, arbitrary and contrary to law and violation of Arts. 14 & 21 of the Constitution of India and consequently direct the respondents to take action on the report dated 15.2.2003 (Wrongly written as 15.2.2002) filed by father of the petitioner.

Counsel for the Petitioner : Mr.VENUGOPALA RAO PASNOORU

Counsel for Respondents : G.P. FOR HOME

The Court made the following :

ORDER:

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The only grievance of the petitioner is that though he lodged a complaint with the Sub-Inspector of Police, Garidepally Police Station on 15.2.2003 complaining about the unlawful activities of one Mohan Rao, G.Laxmamma, S.Narsaiah, S.Venkateswarlu, R.Bakkaiah and B.Venkateswarlu and requested to take immediate action, the respondents failed to take any action. Hence this writ petition seeking a declaration that the alleged inaction on the part of respondents is arbitrary and illegal.

Having heard the learned counsel for petitioner and the learned Government Pleader appearing for respondents and on perusal of the record, I deem it appropriate to dispose of the writ petition granting leave and liberty to the petitioner to work out the remedy as available under Section 154(3) of Criminal Procedure Code by sending the substance of the complaint in writing to the concerned Superintendent of Police, in which event, the same shall be considered by the concerned Superintendent of Police in accordance with law. No costs.

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G.ROHINI, J

Date: 26.10.2004

DA

To

1 The Superintendent of Police, Nalgonda, Nalgonda District.
2 The Station House Officer, P.S. Garidepally Mandal,
Nalgonda District.

3 Two CCs to the G.P. for Home, High Court Buildings,

Hyderabad (OUT).

4 Two CD copies.